

1 A Yes. And she did deny it. And but
2 there -- she made -- she certainly did not hide from us
3 that they spent plenty of time in the chambers alone.

4 And she said he did walk her out at
5 night. If the trials went late during that one year,
6 he would walk her out after dark. So there were plenty
7 of times that they were alone after hours.

8 And then after that year was over my
9 understanding, from talking to Clerk Ake, a judicial
10 assigned -- a judicial -- a clerk is assigned randomly
11 or at a rotating basis. So she certainly still worked
12 with him and was assigned to him during those five
13 years. It's just it wasn't a one-year commitment, it
14 was just sporadically she would be assigned. But they
15 certainly worked together a good bit during those five
16 years.

17 MR. HILL: Yes, sir.

18 EXAMINATION

19 BY GRAND JUROR:

20 Q Was this relationship pretty widely known
21 in the courthouse?

22 A I alluded to that. I asked her, I said,
23 "Well, when you guys go to lunch, did you try to go
24 separately? She said, "No, we just walked out." She
25 said, "We just let people think what they wanted to

1 think."

2 BY GRAND JUROR:

3 Q Did she say anything about how soon prior
4 to her testimony here that she had talked to the judge,
5 or if they had had any conversation before she
6 testified?

7 A She did say that. And I'm trying to
8 remember her response. It was -- it was as if they
9 have not spoken in a long time. I got the impression
10 that they had not -- they, yeah, that they have not
11 talked, that they beginning of this year was sort of
12 it. I mean, that's the impression I got. And I --

13 Q But she said they're still friends?

14 A She did, yes, she did say that. But she
15 said, "Yes, we're still friends."

16 Q Non-communicating friends?

17 A Yeah, I mean I --

18 Q She was very non-communicative to us.

19 MR. HILL: All right. If there's nothing
20 else, I want to dismiss you with our thanks.

21 THE WITNESS: Okay.

22 MR. HILL: And remind you, of course,
23 that what we say here stays here.

24 THE WITNESS: Absolutely. Good luck.

25 GRAND JUROR: Thank you.

(The witness left the Grand Jury room.)

Whereupon,

SCOTT F. PETERKA,

was recalled as a witness, and having been previously sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. HILL:

Q Good morning, sir. Scott, I know you're still under oath and I appreciate that. However, if you would, state one more time your name for the Grand Jury.

A Scott Peterka.

Q Scott, there were a couple of just loose ends that we needed to nail down. One of them had to do with a safety deposit box that was it Corporal Sheehan and Judge Ficarrotta jointly held?

A Yes, sir.

Q Did you obtain the records on that?

A Yes, sir.

Q Just share real quickly with the Grand Jury what it says.

A Yes, I served a subpoena on the Bank of America located there on Davis Island basically requesting to know -- I was looking for copies of all accounts in the name of or for which Gaspar Ficarrotta

1 and/or Michael Sheehan were authorized signers.

2 I was looking for the signature cards for
3 all checking, savings, investment accounts and safe
4 deposit entry records for the period of January of '98
5 to present. They provided me with the requested
6 documents.

7 As it pertains to the safe deposit box,
8 there was a safe deposit box there at that branch. It
9 was opened on September 30th of 1998. To this date it
10 remains open. The leasee of the box was Judge Gaspar
11 Ficarrotta. He was leasee number one. And leasee
12 number two was Deputy Mike Sheehan.

13 They used their Florida driver's licenses
14 as identification to open the safe deposit box. And
15 then I showed six entries into that safe deposit box
16 from the date of opening to present.

17 On the date it was -- on the date the
18 safe deposit box was opened, once again, that was
19 September 30th of 1998, Gaspar Ficarrotta and Mike
20 Sheehan entered the box.

21 The box was once again entered on
22 December 18th of 1998 by Mike Sheehan. It was entered
23 again on July 14th of 1999 by Mike Sheehan. It was
24 entered again on September 8th of 1999 by Mike Sheehan
25 and on January 14th of this year by Mike Sheehan. So

1 Judge Ficarrotta entered the box once, and that was on
2 the date the box was opened.

3 Q All right, sir. You were also asked to
4 check on a phone situation and any possible
5 irregularities with that?

6 A Right.

7 Q Did you do that?

8 A Yes, I did.

9 Q Maybe the best thing to do is to share
10 with them the letter that you received back from GTE,
11 which I think maybe summarizes what was found out?

12 A Sure. On November 8th, while you were
13 all here in Grand Jury, Tara Pisano pulled me aside
14 outside and she indicated to me that during her affair
15 with Judge Ficarrotta she and Judge Ficarrotta spoke
16 frequently to one another on their cellular telephones.

17 And reportedly during this time period on
18 at least two occasions Judge Ficarrotta had his son's,
19 John Ficarrotta's girl friend by the name of Dory, she
20 didn't know the last name, who the girl friend
21 reportedly worked for AT&T Wireless Services, had her
22 adjust or credit his monthly telephone bill to lower
23 his payment.

24 Pisano, or Ms. Pisano identified Judge
25 Ficarrotta's cellular telephone number as being area

1 code (813) 505-2049. After receiving that information
2 I subpoenaed the account information on that telephone
3 number.

4 I spoke to their security representative
5 at the company to determine if they had an employee
6 that had improperly credited this account, because in
7 this particular instance AT&T Wireless Services would
8 be a victim to a crime.

9 They responded back to me in a letter.
10 And to synopsise the letter it says, "In response to
11 our recent telephone conversation wherein you informed
12 me the above-referenced mobile number may have received
13 inappropriate credits by an AT&T Wireless Service
14 employee, please advise -- please be advised that we
15 have reviewed this account and concluded that no
16 inappropriate credits were applied to this account.
17 All credits received on this account were well within
18 the AT&T Wireless Service's policies and procedures."

19 So, in essence, if there were credits to
20 that account it was all done properly.

21 Q Thank you, Scott. The last thing was,
22 and I told you we wouldn't allude to it but I think we
23 just ought to touch base, the Grand Jury has heard
24 testimony that I think may satisfy them on an insurance
25 issue. Any records that you subpoenaed, first of all,

1 took quite a while on that account, did it not?

2 A That's correct, yes.

3 Q And then it seems that the bottom line is
4 if they sent them they may have sent them to our office
5 in Bartow?

6 A Yes.

7 Q Okay. And we have not received those?

8 A I spoke to them last Friday and they
9 indicated that they had mailed the records. I have not
10 received them in my office. It's possible they were
11 received by your office, yes.

12 Q They will probably be in my in-basket
13 when I get back.

14 A That's correct.

15 MR. HILL: All right. Any questions?

16 EXAMINATION

17 BY GRAND JUROR:

18 Q Is there any way to tell what was
19 deposited or taken out of that safe deposit box, or you
20 only know who was there?

21 A No. All you know is who the authorized
22 signer was that entered the box.

23 BY GRAND JUROR:

24 Q Okay. You said that this box was -- they
25 opened this box on the 30th of September; that was the

1 first day when they first opened the account?

2 A Well, that was the date the box was
3 acquired. That's --

4 Q Okay. And so both of them signed that
5 day?

6 A Yes. They were both listed as leasees to
7 that box. And they both signed the signature card as
8 entering the box on that day, yes.

9 GRAND JUROR: Okay.

10 BY GRAND JUROR:

11 Q Does Corporal Sheehan still have the box
12 or is it still open?

13 A As far as the bank records are concerned,
14 the box is currently leased to those two individuals.

15 Q Both? Still both of them?

16 A And as of the return date on the
17 subpoena, the box was still open.

18 MR. HILL: Scott, I want to --

19 THE WITNESS: One more question.

20 MR. HILL: I'm sorry.

21 BY GRAND JUROR:

22 Q You've never run across any evidence of a
23 storage bin or any other facility?

24 A No information has been provided to me as
25 far as where to look.

1 Q I know there was made mention of that one
2 time.

3 A I'm not -- I'm not familiar with that
4 issue.

5 MR. HILL: You started out this
6 investigation, and in the end publicly I want to
7 thank you for everything you've done for the
8 Grand Jury, and certainly for Chip and I.

9 THE WITNESS: Yes.

10 MR. HILL: We certainly appreciate you.
11 You're excused.

12 THE WITNESS: Okay.

13 MR. HILL: You might kind of hang around
14 out there in case we come up with something else
15 to ask you.

16 THE WITNESS: All right.

17 GRAND JUROR: Thank you.

18 (The testimony concluded at 9:45 a.m.)
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CERTIFICATE OF REPORTER

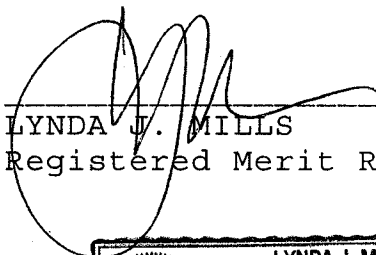
STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, LYNDA J. MILLS, Registered Merit Reporter, do certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes thereof.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 14th day of March, 2001.


LYNDA J. MILLS
Registered Merit Reporter

